



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re patent application of: AGUERA et al.

Serial No.: 09/367,496

Filed: August 17, 1999

For: USE OF ULIP PROTEINS IN THE DIAGNOSIS  
AND THERAPY OF CANCERS AND  
PARANEOPLASTIC...

Examiner: Rawlings

Art Unit: 1642

Docket #.: P06473US0/BAS

COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

SIR:

Attached is:

- ..... a response after Final Rejection dated
- ☒ a response to the Office Action dated September 25, 2001
- ..... a Preliminary Amendment
- ☒ a Petition for an extension of time
- ☒ Other: Amendment w/Attachments A-E; copy of Notice to Comply; Statement under 37 CFR 1.821; Sequence Listing; Diskette; copy of sequence alignment of human ULIP-1, 2, 3 and 4 cDNA sequences
- .....

RECEIVED  
MAR 29 2002  
TECH CENTER 1600/2900

Fees: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
..... TOTAL CLAIMS				X \$ 18 =	
..... INDEP. CLAIMS				X \$ 84 =	
TOTAL OF ABOVE CLAIMS FEES =					
..... Reduction by 1/2 for <b>small entity status</b> of applicant					
SUBTOTAL =					
<input checked="" type="checkbox"/> Fee for extension of time (per attached Petition)					920.00
..... Other fee for					
TOTAL OF ALL FEES =					<b>\$920.00</b>

☒ A check in the amount of \$ 920.00 is enclosed. If no check or an insufficient check is enclosed and a fee is due in connection herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555.

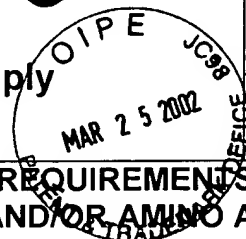
☒ In the event that a petition for extension of time is required to be submitted herewith and that a separate petition is not submitted herewith, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized above.

Respectfully submitted,

Date: 25 March 2002

By: B. Aaron Schulman

Registration No.: 31,877

**Notice to Comply**

Application No.

09/367,496

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

AGUERA ET AL.

Art Unit

1642

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEQ ID NO: 8 of the Sequence Listing is not the same as SEQ ID NO: 8 of the specification (Figure 12); correction of the discrepancy is required. However, Applicant is cautioned against the introduction of new matter into the specification, including the claims.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**